

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:05CR87-P-B

**SHERRY LOUCH aka SHERRY LOUGH,
aka SHERRY MILLS and PERRY BROOKS**

ORDER

This cause is before the Court on defendant Brooks' Motion for Continuance [50]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for December 5, 2005. Counsel for defendant Brooks was appointed as substitute counsel on November 8, 2005. He seeks a continuance in order to conduct discovery, investigate the case and consult more with his client. The government does not object to the requested continuance. Based on the foregoing, the Court finds that the defendants' motions are well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from December 5, 2005 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendant additional time to investigate and prepare a defenses to the pending charges. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The Motion for Continuance [50] is GRANTED;
2. That the trial of this matter is continued as to all defendants until Tuesday, January 3, 2006 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from December 5, 2005 until January 3, 2006 is excluded as set out above;
4. That the deadline for filing pretrial motions is December 13, 2005;
5. That the deadline for submitting a plea agreement is December 20, 2005.

SO ORDERED, this the 10th day of November, 2005.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE